

Wisconsin Department of Commerce PECFA Program

BID NUMBER: 04-53188-3221-05

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. The site upon which bids are being solicited is:

PECFA number: 53188-3221-05
BRRTS number: 03-68-004547
Site Name: Summit C-Store
Site Address: 1605 Summit Avenue, Waukesha WI 53188

Program contact: Nancy S. Kochis, Site Review Hydrogeologist
Program contact address: 101 West Pleasant Street, Suite 205
Milwaukee, WI 53212
Program contact phone: 414-220-5372
Program contact e-mail address: nkochis@commerce.state.wi.us

Bid End Date: Wednesday, September 8, 1999 by 3:00pm
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SECTION 2 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost to a defined site closure or no further action required decision. The closure or no further action decision will be by either the Department of Commerce or the Department of Natural Resources depending on statutory site assignment. In preparing the bid, the bidder must assume compliance with applicable provisions of Commerce 47 and NR 700.

The site investigation report for the site, upon which bids are being sought, is available for inspection at:

Dept of Commerce/ERS, 101 West Pleasant Street, Suite 205, Milwaukee, WI

Inspection may be performed between the hours of 8:00 AM and 4:00 PM. Copies of the site investigation report can be purchased for the cost of reproduction and handling at the following address:

Barbara J. Moczynski, IKON Office Solutions
205 E. Wisconsin Avenue, Suite 400, Milwaukee, WI 53202
Phone: 414-276-7077/Fax: 414-276-7119

For the purpose of the competitive bid, **the contaminant mass is determined to be 8.14 pounds based upon total VOCs in soil and groundwater.**

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. From the bidders who comply with all provisions, the lowest total cost bid with an appropriate approach to bring the site to a closed remedial action or no further action status will be determined.

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result. If two or more bidders tie in the cost comparison, the lowest non-commodity (consultant) cost will be used as the tiebreaker.

A successful bid does not mean or guarantee that all costs from a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions that the owner must determine and inform the PECFA program contact in writing of their intent to either:

1. Utilize the lowest identified bidder.
2. Elect to utilize another service provider but agree to a cost cap not to exceed the lowest bid and to pay any costs over the bid amount themselves.

If a bidder fails to comply with a bid provision or they are not the lowest cost service provider with an appropriate approach, they will be determined to be “non-successful”. Non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder. The successful bid, however, will be available for inspection at:

Dept of Commerce/ERS, 101 West Pleasant Street, Suite 205, Milwaukee, WI

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin. If a technology or method requires approval by either the Department of Natural Resources or Commerce, that approval must be received before it is included in a bid.

The Department reserves the right to reject any and all bids that appear to be above what the PECFA program determines to be customary and reasonable cost(s) for remedial efforts using

the same or similar scope of work or in the same or similar geologic setting. We also reserve the right to reject bids that it believes are not appropriate to a specific geologic setting.

All amendments to and interpretations of this solicitation shall be in writing from the PECFA program contact indicated in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing.

Questions or requests for information must be submitted in writing and received by
Wednesday August 18, 1999 by 4:00pm.

After this date, no further questions will be addressed. Questions may be directed to:

Contact: Nancy S. Kochis, Site Review Hydrogeologist
Address: Dept of Commerce, 101 West Pleasant Street, Suite 205
Milwaukee, WI 53212
Fax: 414-220-5374
E-mail: nkochis@commerce.state.wi.us

A written response will be provided on the Commerce PECFA Web Site (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact). Responses to the questions will be posted (and if requested, sent in writing) by the end of the day Friday, August 27, 1999.

The only official contact person for the PECFA program during the bidding process is the contact identified in Section 1. **Bidders are not to contact other personnel located within the Department of Commerce concerning the site or the bid solicitation.**

SECTION 3 - Closure Specifications:

The PECFA program is soliciting bids to perform corrective action on a petroleum release from a regulated petroleum storage tank system(s). A bid submitted must provide the total cost (including all costs whether pre or post closure, except interest) to bring the occurrence to and obtain agency approval of one of the closed remedial action status's identified below:

Unrestricted Closure
Closure with a NR 140 exemption
* **Closure with groundwater use restriction**
* **Closure with deed notice**
* **Closure with deed restriction**
Closure with NR 720.19 soil standards
Closure under NR 708.09
Performance based NR 720.19 closure
Closure with site specific conditions
Closure under NR 726.07
Mass reduction

** Note: If a winning bid identifies any of the closures types identified by an asterisk (options using institutional controls), and the responsible agency determines that the site can be closed, PECFA funding under s. 101.143, Stats., will be terminated at that point except for post closure costs that are otherwise eligible for reimbursement. This process will be followed regardless of whether all properties requiring a deed notice or restriction accept one as required under NR 726. When the responsible agency determines that it would be closeable with the notice or restriction, if a property owner does not accept a deed notice or restriction, PECFA funding under s. 101.143, Stats., will still be terminated at that point except for post closure costs that are otherwise eligible for reimbursement.*

If the funding cap available under PECFA for the occurrence is not believed to be adequate to remediate the occurrence to a closed or no further remedial action status, that must be specifically noted in the bid along with the remedial progress that will be achieved through the dollar amount bid. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Monitoring Wells MW-1, MW-2, MW-4 and MW-5

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

SECTION 4 - Site Specific Bid Specification Requirements

A minimum of two rounds of groundwater monitoring is required.

SECTION 5 - Instructions to Bidders

In compliance with this invitation to bid and subject to all conditions thereof, the signatory offers and agrees, if their bid is determined to be the winning bid, within 60 days from date of opening, to furnish any or all items/services quoted at the prices set forth.

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the contact person designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the program contact specified. **Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.**

The bid submitted shall be designed to outline in brief and general terms, an approach to achieve the closed or no further remedial action status or remedial mass reduction goal. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may, however, be requested by the program to support the successful bid or to help answer questions for the site owner.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the program contact. If the program contact is not able to arrange site access, this fact will not delay

the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The bid document must conform to the following:

1. The closed remedial or no further action status to be achieved or the contaminant mass reduction to be achieved must be stated using the options available from the list provided in Section 3.
2. If the funding available under PECFA is not believed to be adequate to remediate the occurrence, and a mass reduction proposal is being submitted, that must be shown on the bid form.
3. A brief description of the proposed treatment method(s) or technology(ies).
4. The total cost (in dollars) to accomplish the stated remedial goal, including all costs, fees, reporting, pre and post closure costs and costs for establishing restrictions or institutional controls but excluding interest and costs that were incurred as part of the original investigation.
5. The amount of cost (in dollars) specified in #4 that are consulting (also known as non-commodity costs).
6. Three (3) copies of the bid documents (including the original) signed and sealed by a professional engineer, professional geologist, hydrologist or soil scientist licensed by the state of Wisconsin. If a seal is not affixed, be sure to provide the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and bid number thereon.
10. The bid number must be included on the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Do not include more than one bid per envelope. If directing other correspondence to the program, address the envelope to the program contact identified but do not include the bid number on the envelope since it does not include your bid.
11. Bidders must clearly mark as "CONFIDENTIAL" each part of their bid which they consider to be proprietary information that could be **exempt from disclosure**. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.

12. **Correction of errors on the bid form:** All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid opening.
13. **Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation,** will be rejected or otherwise disregarded.
14. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
15. **Bidder's Responsibility:** Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
16. **Amendments:** All amendments to and interpretations of this solicitation shall be in writing from the program contact. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
17. **Competition:** This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE**Department of Commerce PECFA Program
BID NUMBER: 04-53188-3221-05**

Submit Bid To: Nancy S. Kochis, Site Review Hydrogeologist
Department of Commerce PECFA Program
101 West Pleasant Street, Suite 205, Milwaukee, WI 53212

Bidder Company: _____
Bidder Address: _____

Telephone Number () - _____
Fax Number () - _____
E-Mail Address _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Signature & Seal _____

Seal

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Cost Bid \$ _____

Total Consulting Cost (subpart of total bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE**Department of Commerce PECFA Program****BID NUMBER: 04-53188-3221-05****Page 2**

Brief description of Proposed Treatment method(s) or technology(ies). Attach additional pages if necessary. You must include your telephone number on all added pages.

Identify closed remedial action status (check all that apply):

- ? **Unrestricted Closure**
- ? **Closure with a NR 140 exemption**
- Closure with groundwater use restriction**
 - ? On site
 - ? Off site
- ? **Closure with deed notice**
- ? **Closure with deed restriction**
- ? **Closure with NR 720.19 soil standards**
- ? **Performance based NR 720.19 closure**
- ? **Closure with site specific conditions**
- ? **Closure under NR 726.07**
- ? **Other: explain on attached page**
- ? **Remediation will exceed maximum award:**

Total mass-reduction proposed: _____

For Department Use Only

? Eval. Pass Eval. Fail: ? Technol. ? Closure ? Non-compliant

Reviewer Initials: COMM: _____
 WDNR: _____